

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.: 19-122
v.	*	SECTION: "J"
KENDALL MATHEWS	*	
a/k/a "Dot"	*	
	*	

FACTUAL BASIS



The above-named defendant, KENDALL MATHEWS, a/k/a "Dot," has agreed to plead guilty as charged to Counts One through Thirteen of the Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, KENDALL MATHEWS ("K. MATHEWS"):

Unless stated otherwise, all of the facts set forth herein occurred within the Eastern District of Louisiana.

Through a confidential source (CS), agents with the Drug Enforcement Administration (DEA) identified K. MATHEWS as a methamphetamine trafficker in the Lafourche Parish area. On January 10, 2018, agents used the CS to make a controlled purchase of two ounces of methamphetamine from K. MATHEWS. Under the direction of the agents, the CS called K. MATHEWS at 985-227-0895 to arrange the purchase of two ounces of methamphetamine for \$900.00. K. MATHEWS instructed the CS to meet him at the Dollar General Store on Talbot Street in Thibodeaux.

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AUSA
Defendant
Defense Counsel



Agents provided the CS with \$900.00 in official agency funds (OAF) and audio/video equipment to record the transaction. The CS then drove to the meet location and approached the window of K. MATHEWS' vehicle where they conducted the transaction. The drugs were analyzed at the DEA laboratory by Senior Forensic Chemist Elizabeth A. Adkins. The drugs were confirmed as methamphetamine with a net weight of 55.2 grams and 99% purity, resulting in 54.6 grams of pure methamphetamine.

On February 7, 2018, agents conducted a controlled purchase of three ounces of methamphetamine from K. MATHEWS for \$1,400.00. Under the direction of agents, the CS contacted K. MATHEWS to arrange the sale. They agreed to meet at the Dollar General Store on Talbot Street again. Agents provided the CS with \$1,400.00 OAF and audio/video equipment to record the transaction. A Lafourche Parish Drug Task Force Agent drove the CS to the meet location. Approximately fifteen minutes later, K. MATHEWS arrived at the meet location. The CS then met K. MATHEWS at his vehicle and purchased the drugs. The drugs were analyzed at the DEA laboratory by Senior Forensic Chemist Elizabeth A. Adkins. The drugs were confirmed as methamphetamine with a net weight of 82.5 grams and 69% purity, resulting in 56.9 grams of pure methamphetamine.

After completing the controlled purchases and confirming that K. MATHEWS was a drug trafficker, agents applied for a Title III wire intercept of telephone number 985-227-0895, used by K. MATHEWS. On May 18, 2018, the Honorable Sarah S. Vance signed the order authorizing the interception.

On May 18, 2018, at approximately 6:57 p.m., agents intercepted a telephone call between K. MATHEWS and an individual identified herein as "C.R." in which C.R. inquired about purchasing heroin ("dilly"):

K. MATHEWS: "Hello."

C.R: "Hey uh....you wouldn't be fucking with that dilly huh?"

K. MATHEWS: "I got access to it."

C.R: "What uh...what do the half a g's go for?"

K. MATHEWS: "That nigga want like 50 dollars...60 dollars some shit like that."

C.R: "Uh.....you know if it be like raw they be hitting that?"

K. MATHEWS: "Nah it's some bricked up some good shit."

C.R: "Shit you can send me to dude?"

K. MATHEWS: "Let me make a phone call and see if (unintelligible) rounds."

C.R: "Alright."

K. MATHEWS: "Alright."

Immediately after K. MATHEWS spoke to C.R., he called Earl Johnson at 985-870-7196 to obtain heroin:

Johnson: "What up fool?"

K. MATHEWS: "Hey you got some food?"

Johnson: "Yeah."

K. MATHEWS: "Like a half a g."

Johnson: "Where you at?"

K. MATHEWS: "I'm at Mary right now."

Johnson: "Where at?"

K. MATHEWS: "Pack A Center man."

Johnson: "Alright. When you gonna get 'em meet me here?"

K. MATHEWS: "Where you at?"

Johnson: "Call me when you get on your end I'm gonna pull up on you."

K. MATHEWS: "Alright."

Johnson: "Alright."

On May 19, 2018, K. MATHEWS received a call from Montrell CLEVELAND, aka "Noon," at approximately 10:00 p.m. CLEVELAND asked, "Is it all one?" K. MATHEWS offered to send CLEVELAND a picture of the drugs. CLEVELAND asked, "What's the ticket," meaning, "What is the price." K. MATHEWS told him the cost was \$300.00. After the phone conversation, K. MATHEWS sent to CLEVELAND a photo of what appeared to be approximately one pound of methamphetamine. A short time later, CLEVELAND called K. MATHEWS and told him that he was outside of K. MATHEWS' residence. K. MATHEWS asked CLEVELAND how much he wanted and CLEVELAND responded, "One," likely referring to one ounce of methamphetamine.

On May 25, 2018, K. MATHEWS received another call from CLEVELAND, who wanted to purchase methamphetamine. During the call, CLEVELAND told K. MATHEWS, "I need it into one I'm gonna make them bring the bread out." K. MATHEWS responded, "Well look I'm done I aint gonna lie to you this aint even much one I got." Then he added, "Give me fifteen minutes to make a phone call."

On May 29, 2018 at approximately 12:03 p.m., agents intercepted a call from K. MATHEWS to Johnson at 985-870-7196, in which Johnson offered to sell heroin to K. MATHEWS:

Johnson: "Hello."

K. MATHEWS: "What up man?"

Johnson: "Lyin' around. Say they on their way back man. I got some of this other shit you hear."

K. MATHEWS: "I can't hear you."

Johnson: "I got some of this other shit nigga you know what's up my nigga. Mix it up n---a."

K. MATHEWS: "Man I ain't got no fuckin' plays like that."

Johnson: "I ain't had none first neither nigga...you got the same fucking playas...I keep telling that."

K. MATHEWS: "Yeah (unintelligible) I probably (unintelligible)."

Johnson: "That's the same....that's the same people. You told me that about "that" listen to me you say you remember you tell me about that go through with that. I'm tellin you the fucking avenue is the bomb. I already been there. You heard me come on y'all."

K. MATHEWS: "Listen but see but man I ain't I ...I'm gonna have to build that ...build that shit up."

Johnson: "Hey it takes time. You know it don't take that much time. Dot you know one thing n---a I ain't gone never tell you nothin' wrong. And man you said that about "that" man. And you look at you now. Bitch you can't stop for...[laughs]. For real though look at you now. That's the shit nobody...nobody in our fuckin' lane with that shit (unintelligible). Who in the way?"

K. MATHEWS: "Nobody really."

Johnson: "Alright then son...alright then son I want you son. Who in the way son? Nobody in the way. This other shit nigga you really got to compete with that shit and look for the right shit...man shit. Listen to me we do our own thing man."

...

K. MATHEWS: "Get it hooked up man I need it bad ASAP."

Johnson: "Yeah I'm pulling out we got it."

Later that same day, K. MATHEWS received a call from C.R. and asked if he (C.R.) had customers for heroin because he (K. MATHEWS) was about to obtain some:

K. MATHEWS: "Say look I'm glad you called I need to ask you something son?"

C.R: "Yeah"

K. MATHEWS: "You got clientele on that food?"

C.R: "Yeah! That's like one of the main things I be fucking with!"

K. MATHEWS: "Well look I'm 'bout to get me some"

C.R: "Alright well as long as it's some good...I just come from the city like an hour ago getting some cuz that last shit I got that wasn't really hitting on nothing it was chomped up but you know but it was straight"

On May 30, 2018, at approximately 2:08 p.m., K. MATHEWS called Johnson at 985-870-7196 but Johnson did not answer. Immediately, K. MATHEWS called Johnson at 504-322-5710 and they discussed the trafficking of cocaine hydrochloride:

Johnson: "Hello."

K. MATHEWS: "You screening a n---a's calls huh man,"

Johnson: "I can't hear you."

K. MATHEWS: "You screenin my calls now man."

Johnson: "I'm gonna screen you calls and answer this motherfucker?"

K. MATHEWS: "Bitch I done called the other phone."

Johnson: "But I'm gonna screen you call and answer this motherfucker I couldn't answer that bitch ain't want to merry up."

MATHEWS: "How the business is man?"

Johnson: "Huh?"

MATHEWS: "The business is?"

Johnson: "I ain't got no fucking coke. I want some fucking coke too fuck. (Unintelligible)"

MATHEWS: "That's your problem with that I ain't got no dealings with that."

Johnson: "Where you at right now?"

MATHEWS: "I'm at home."

Johnson: "I'm coming back down there I just left from back there police just past me here."

MATHEWS: "Yeah alright."

Johnson: "I'm gonna come down man."

On May 31, 2018, at approximately 9:47 p.m., K. MATTHEWS called an unidentified male (UM) at 985-713-2574 and asked if he had a quarter-ounce of methamphetamine ("glass") for sale:

UM: "Hey Lou."

K. MATHEWS: "What's up?"

UM: "You got glass?"

K. MATHEWS: "Like What?"

UM: "How much a quarter going for?"

K. MATHEWS: "A dollar."

UM: "A dollar?"

K. MATHEWS: "Yeah."

UM: "So how much I can sell it for a dollar fifty?"

K. MATHEWS: "Yeah."

UM: "Alright I'm gone call you right back."

K. MATHEWS: "Alright."

On June 6, 2018, agents intercepted a call between K. MATHEWS and CLEVELAND. K. MATHEWS told CLEVELAND that he just sold someone ten grams before he answered the phone. CLEVELAND asked K. MATHEWS when he would "be right," meaning when would be available to sell more drugs. K. MATHEWS responded, "Probably tonight."

Later that afternoon, K. MATHEWS called Johnson. Johnson informed K. MATHEWS that he had yet to receive another shipment of drugs. Johnson then suggested to K. MATHEWS that he consider selling the "other" (heroin) instead of methamphetamine.

The following day, June 7, 2018, agents intercepted a call between K. MATHEWS and Johnson. Johnson informed K. MATHEWS that he received drugs but the quality was poor ("That shit ain't look right ...that shit ain't even you got to put the other shit in with it").

After confirming that Johnson was a drug trafficker and K. MATHEWS' supplier, agents applied for Title III wire intercepts of telephone numbers 985-870-7196 and 504-322-5710, both used by Johnson. On June 29, 2018, the Honorable Sarah S. Vance signed the order authorizing the interceptions.

The balance of the factual basis are factual assertions that KENDALL MATHEWS has little or no firsthand knowledge of; however, he agrees that the Government could prove these allegations through competent evidence:

Through interception of Johnson's phone, agents identified an individual, herein identified as "Cooperator 1," a resident of Terrebonne Parish, as Johnson's supplier. On June 30, 2018, agents intercepted a phone call between and Johnson. Cooperator 1, after speaking to his source of supply, sent a text message to Johnson from 985-413-7548 telling Johnson to get his money together because Cooperator 1's source of supply was in town with the drugs ("We live. He here get the paper ready").

On July 9, 2018 at approximately 2:02 p.m. CDT, agents intercepted the following call from Cooperator 1 to Johnson:

Johnson: "Whaaaaahhhhhh!!!"

Cooperator 1: "Ain't nothin' just hollerin' at you seein' what's goin' on?"

Johnson: "Well nothin' now."

Cooperator 1: "Waitin' on waitin' on the word right now supposed to be live this week that's what he said. So tryin' to see what happens. Said he's gone try to...try to see if they gonna send some of that other stuff too that regular shit so then after that it'll be cool. I don't give a fuck if you can get your hands on one of them bitches send that bitch."

On July 19, 2018, agents intercepted a call between Cooperator 1 and Johnson in which

they discussed the source of supply's difficulty in transporting five kilograms of cocaine or methamphetamine across the border into the United States to deliver the drugs to Cooperator 1 ("He said he got five on him right now and he's trying to get them across but it's hard on him right now").

On July 25, 2018, in an intercepted phone call, Cooperator 1 offered Johnson several kilograms of cocaine for sale:

Johnson: What's up with it?

Cooperator 1: Oh it ain't nothing. Hey, check this out. Um...you know I know pretty much everything that's going on nigga. I'm smart like that. But, you know they got a lot of mother fuckers running their traps about [U/I] shit. But uh...How you want to do this? Like I said son, I wanna uh...I wanna uh...get the most I can get out of that coke so...I mean like say you know it ain't but one but if you want some of it you can get some of it. But, this is what I'm trying to tell you if you want one of the other shit, you can come get that and you can take one for me. So, you can have both of them and you can get you some of this coke.

Johnson: How much of that shit you giving up at one time?

Cooperator 1: Uh... Come ride down here whenever you finish what you doing.

On July 29, 2018, agents obtained a Title III intercept on Cooperator 1's phone (while still monitoring Johnson's phone. Through the Cooperator 1 intercept, agents identified Cooperator 1's source of supply, herein identified as "RMG," a multi-kilogram distributor of methamphetamine and cocaine who obtained his drugs directly from Mexico.

On July 29, 2018, between approximately 9:42 a.m. and 12:58 p.m., RMG exchanged several text messages with Cooperator 1. Cooperator 1 told RMG that the cocaine was selling but that the methamphetamine was not selling as well ("The shirts ("cocaine") moving but the windows ("methamphetamine) slow"). Cooperator 1 advised that the market was "flooded" with methamphetamine, but added that he still expected their drugs to sell eventually ("They gonna go

just the town was flooded"). Cooperator 1 further urged RMG to obtain as much cocaine as he could ("You need to find as much regular as you can"). In response, RMG told Cooperator 1 that the DTO wanted to make sure that Cooperator 1 had the money to pay for the drug shipment ("Yes but they need to know if u have papers"). RMG then sent Cooperator 1 a text advising that the DTO had cocaine available ("They have regular"). Cooperator 1 asked RMG to call him ("Say call me"). Cooperator 1 then told RMG that he would pay only after he (Cooperator 1) finished selling the cocaine and once his (Cooperator 1) drug associates were actually selling the methamphetamine ("Say when I finish the regular I'm a give you the paper and I got the windows in my people hands to move please man don't start texting me about no money man"). Cooperator 1 again stated that when he (Cooperator 1) finished distributing all of the drugs, he would pay RMG ("When I finish I will get you the paper I'm not gonna steal nothing from y'all"). Cooperator 1 continued to exchange texts with RMG during which he advised that he (Cooperator 1) would pay RMG for the drugs that he had.

On July 30, 2018, agents intercepted a phone call between Johnson, using phone number 985-870-7196, and D. MATHEWS, using phone number 985-647-1507. D. MATHEWS asked Johnson for "some of those things," referring to methamphetamine. Johnson quoted him a price of "three dollars" (\$300.00). MATHEWS agreed to drive to Johnson's location to purchase the drugs.

On July 31, 2018, the day after D. MATHEWS agreed to purchase methamphetamine from Johnson, agents used a CS to make a controlled purchase of an ounce of methamphetamine from D. MATHEWS. Under the direction of agents, a confidential source (CS-2) called D. MATHEWS to negotiate the purchase. During the call, CS-2 asked D. MATHEWS if he had "a zip" (an ounce).

D. MATHEWS said that he did and quoted CS-2 a price of \$350.00. CS-2 told D. MATHEWS that he would be there "in a little bit."

Agents provided CS-2 with \$350.00 in OAF and video equipment and provided surveillance as CS-2 met D. MATHEWS on Line Street in Houma. D. MATHEWS entered CS-2's vehicle and instructed CS-2 to drive to D. MATHEWS' residence at 115 Muskrat Court in Houma. When they arrived at the residence, D. MATHEWS approached a white male (FNU LNU) standing on the property. D. MATHEWS asked FNU LNU if he "had that ready." FNU LNU said that he did not have it ready but could handle it immediately. FNU LNU left the area. D. MATHEWS entered his residence while CS-2 waited outside. Minutes later, D. MATHEWS exited his residence and FNU LNU returned. CS-2 gave D. MATHEWS the \$350.00 as FNU LNU gave D. MATHEWS the methamphetamine. D. MATHEWS then gave the ounce of methamphetamine to CS-2 who gave it to the agents. DEA lab analysis confirmed the drugs as 100% pure methamphetamine with a net weight of 27.36 grams.

Through the wiretap on Cooperator 1 and Johnson's phones, in early August 2018, agents were able to conduct surveillance as Johnson paid \$20,000.00 for drugs provided by Cooperator 1. Later that month, on August 27, 2018, agents intercepted text messages between Johnson and Cooperator 1 in which Cooperator 1 told Johnson to get \$5,900.00 together to pay for drugs fronted by RMG and for future drugs that RMG was delivering ("Say ... that's \$9 on that ticket. An look when you wrap that up come bring the rest of that other ticket thats me and I'm tryna touch them up and get that thing going and see what they say").

On September 27, 2018, agents intercepted a call between RMG and Cooperator 1. During that call, RMG advised Cooperator 1 that he was headed Cooperator 1's way to deliver two

kilograms of cocaine the following day ("I'm on the way...I see you tomorrow...We have the two regulars").

The following day, September 28, 2018, agents intercepted a text conversation between RMG and Cooperator 1 in which RMG informed Cooperator 1 that he had the two kilograms of cocaine:

RMG: I have the material regular

Cooperator 1: How many

RMG: 2

After Cooperator 1 spoke to Molina and confirmed that Molina was bringing the two kilograms of cocaine, Cooperator 1 called his customer Johnson and engaged in the following conversation:

Johnson: Yeah, you have been talking to him.

Cooperator 1: Yeah.

Johnson: Huh?

Cooperator 1: Yep.

Johnson: You know I be talking to my little man, man. What's up with it though?

Cooperator 1: Shit...He was up there.

Johnson: Huh?

Cooperator 1: Tell him it's up there.

Johnson: Yeah, alright. What that is? What...that... What we uh...

Cooperator 1: Reg.. You know. What we usually do.

Johnson: Uh...Uh...What I told you? Or the other one?

Cooperator 1: Regular.

Johnson: Man you got me lost, son.

Cooperator 1: The regular.

Johnson: Like last time? Like, like...

Cooperator 1: No, the other...

Johnson: Yeah alright.

Cooperator 1: You know what I'm saying?

Johnson: The number... Text me the number.

Cooperator 1: Alright

Johnson: Alright.

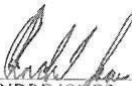
That same day, agents established surveillance of RMG and observed him at Cooperator 1's residence. After RMG departed from the residence, agents went to Cooperator 1's residence and seized the two kilograms of cocaine hydrochloride that Cooperator 1 intended to provide to Johnson.

On June 27, 2019, law enforcement officers executed a search warrant at Johnson's residence, located at 353 Al Joseph Lane, in Thibodaux, Louisiana. In the master bedroom, officers located and seized a Glock handgun bearing serial number DXE254. The firearm was next to two baggies containing prescription pills totaling approximately 34 grams.

Also, from the residence, officers located and seized approximately 46 grams of cocaine base, 257 grams of cocaine hydrochloride, approximately 148 grams of heroin, and approximately 1300 grams of a mixture or substance containing a detectable amount of methamphetamine. Also

seized from the residence were a metal hand press, a brick press with a two-ton bottle jack, and .40 caliber ammunition.

For purposes of sentencing, the Government and K. MATHEWS agree and stipulate that K. MATHEWS' conduct, including the reasonably foreseeable conduct of his co-conspirators involves at least 100 grams but less than 500 grams of methamphetamine, at least 5 kilograms but less than 15 kilograms of cocaine hydrochloride, and at least 100 grams but less than 400 grams of heroin that he conspired to distribute and possess with intent to distribute during the course of the conspiracy.

 1/7/2021
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 1/7/2021
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 1/7/2021
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